IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 15TH NOVEMBER 2006 / 24TH KARTHIKA 1928

WP(C).No. 28787 of 2006(B)

PETITIONER:

M/S.ARAMAM ROCK PVT.LTD.,
NELLANAD P.O., KEEZHAYIKONAM, VENJARAMMOODU,
THIRUVANANTHAPURAM, REPRESENTED BY IITS
MANAGING DIRECTOR, P. ABDUL SALAM,
S/O.POOKUNJU, KOCHUKOYIKKAL VEEDU,
MUKUNDAPURAM, CHAVARA, KOLLAM.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS:

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1. NELLANAD GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY,
NEDUMANGAD, THIRUVANANTHAPURAM.

2. THE SECRETARY, NELLANAD GRAMA
PANCHAYAT, NEDUMANGAD, THIRUVANANTHAPURAM.

3. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, INDUSTRIES
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

4. THE DIRECTOR OF MINING & GEOLOGY
THIRUVANANTHAPURAM.

5. THE GEOLOGIST, DISTRIACT OFFICE,
DEPARTMENT OF MINING & GEOLOGY,
THIRUVANANTHAPURAM.

R1-R2 BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.PIRAPPANCODE V.S.SUDHIR
SRI.JOHNY THOMAS
R3 TO R5 BY GOVT. PLEADER MR.GEORGE G.VADAKKEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.28787 of 2006

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Dated: 15th November, 2006

JUDGMENT

The larger question raised by the writ petitioner regarding the powers of the local authority to issue licence for conducting quarries will be considered later. Submitting to the jurisdiction of the Panchayat, the petitioner himself applied for a licence which was rejected. Against the rejection order statutory appeal Ext.P8 and Ext.P9 stay petition are also filed by the petitioner himself before the Tribunal for Local Self Government Institutions. Since the Tribunal is in seisin of the appeal, it is only appropriate that the Tribunal takes an early decision in the appeal. Therefore without expressing any opinion on the merits of the various grounds raised, this Writ Petition will stand disposed of in the following terms:

The Tribunal for Local Self Government Institutions, Trivandrum will take up Ext.P8 appeal, hear the concerned parties and dispose of the same in accordance with law at its earliest and at any rate within one month of the Tribunal receiving a copy of this judgment. The serious issues raised in the writ petition is reserved to be considered

later in other appropriate proceedings. The petitioner will produce a copy of this judgment to the Tribunal for Local Self Government Institutions, Trivandrum.

srd **PIUS C.KURIAKOSE, JUDGE**